

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

AVALONBAY COMMUNITIES, INC., *

Plaintiff, *

v. * Case No.: 1:08cv777 LO/TRJ

TETRA TECH, INC., et al., *

Defendants *

**PLAINTIFF AVALONBAY COMMUNITIES, INC.'S
MOTION FOR ENTRY OF FINAL JUDGMENT ON ITS CLAIMS
AGAINST DEFENDANT ARTHUR T. WILLDEN**

Plaintiff, AvalonBay Communities, Inc. (“AvalonBay” or “Plaintiff”), by and through counsel, hereby moves that this Court enter final judgment in its favor and against Defendant Arthur T. Willden (“Art Willden”) under Rule 54(b) of the Federal Rules of Civil Procedure for the reasons stated in the Memorandum in Support filed herewith.

Respectfully submitted,

/s/ Thomas C. Mugavero

Thomas C. Mugavero

VSb 30214

Attorney for AvalonBay Communities, Inc.

Whiteford, Taylor & Preston, LLP

3190 Fairview Park Drive, Suite 300

Falls Church, Virginia 22042

703-280-9273

Fax: 703-280-8948

TMugavero@wtplaw.com

CERTIFICATE OF SERVICE

The undersigned certifies that on this twelfth day of September 2009, a copy of AvalonBay Communities, Inc.'s Motion for Entry of Final Judgment was served electronically and/or by sending a copy by first-class mail, postage prepaid, to the following:

Mark H. Churchill, Esq.
Karla L. Palmer, Esq.
Erica E. Paulson, Esq.
McDermott Will & Emery LLP
600 13th Street, N.W.
Washington, D.C. 20005

Gregory R. Jones, Esq.
McDermott Will & Emery LLP
2049 Century Park East, Suite 3800
Los Angeles, CA 90067-3218

Ferris R. Bond, Esq.
700 Fifth Street NW
Suite 200
Washington, DC 20001

Marshall M. Taheri, Esq.
Law Offices of Marshall M. Taheri
P.O. Box 460001
Houston, TX 77056

/s/Thomas C. Mugavero
Thomas C. Mugavero
VSB 30214
Whiteford, Taylor & Preston, LLP
3190 Fairview Park Drive, Suite 300
Falls Church, Virginia 22042
Telephone: 703-280-9260
Facsimile: 703-280-8948
tmugavero@wtplaw.com

*Attorneys for Plaintiff
AvalonBay Communities, Inc.*